* BEFORE THE

* ZONING COMMISSIONER S/S Jolly Road, 631 ft. W of oc/l Rockland Hills Drive 2015 Jolly Road

* OF BALTIMORE COUNTY 3rd Election District * Case No. 92-150-A 2nd Councilmanic District

Irwin Meyers, et ux Petitioners

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.8 (205.3 -1963 BCZR) of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 7 ft. 1 inch in lieu of the required 15 ft., for an enclosed patio, in a D.R.2 zone, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of 20, 1991 that the Petition for a Zoning Variance from Section 1802.3.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 7 ft. 1 inch in lieu of the required 15 ft., for an enclosed patio, in a D.R.2 zone, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the enclosed patio to be converted to a second dwelling unit and/or apartment.

3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

> Zoning Commissioner for Baltimore County

Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently or upon settlement will reside at 2015 JOLLY ROAD, MT. WASHINGTON,

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) l. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.

2. Insulate and reduce heating bills. 4. A place to sit out and not be concerned with the weather, bugs; mosquitoes, flys, etc. 5. Improve appearance of house.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

AFFIANT (Printed Name)

ELAINE MEYERS AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of Special 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

I MEYERS + E. MEYERS the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

9-5-91 DATE

WALTER A. SIMONSEN CONTURIENCE EXPINES 11/1/94 LEGAL DESCRIPTION OF PROPERTY

Beginning on the South side of Jolly Road, 50' wide, at a distance of 631' the centerline of Rockland Hills Drive, 70' wide.

BEING KNOW AND DESIGNATED as Lot No. 19 Block J, as shown on Plat 2, Section 5, Green Gate, which Plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. No. 38, folio 77. The improvements theron being known as No. 2015 Jolly Road.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson MD 21204

887-3353

November 7, 1991

Mr. and Mrs. Irwin Meyers 2015 Jolly Road (Mt. Washington) Baltimore, Maryland 21209

> RE: Petition for Residential Zoning Variance Case No. 92-150-A

Dear Mr. and Mrs. Meyers:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

cc: Peoples Counsel

H92301142 19 03/91

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PUBLIC HEAPING FLES

Baltimore County Zoning Commisioner County Office Building 111 West Chesapeake Avenue

Please Make Checks Payable To: Baltimore County

92-150-A

Posted for Residential Variance Petitioner: Fruin Mayers et ust Location of property: 5/5 Dolly Road, 631 W of 1/2 Rockland Location of Steam The front of 2015 July Road PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

patio in lieu of the required 15'.

92-150-A

The undersigned the description and												
1802.3B (205.3	- 1963 1	BCZR 1 -	to	allow	a side	yard	setback	of 7	• + j - £	or an	enclosed	

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason:

(indicate hardship or practical difficulty) 1. This area lends itself to the utilization of the existing facilities and land without

interruption or major alterations to the present floor plan patterns. 2. Insulate and reduce heating bills.

Reduce outside noise. 4. A place to sit out and not be concerned with the weather, bugs; mosquitoes, flys, etc.

5. Improve appearance of house. Property is to be advertised and/or posted as prescribed by Zoning Regulations

	ZONING COMMISSIONER OF BALTIMONE COUNTY
	L
ion be posted on the property on or before the $\frac{2c}{c}$ day o	or <u>CCT</u> , 19 (1)
DRDERED by the Zoning Commissioner of Baltimore County, th	
	Address GLEN BURNIE, MD. 21061 Phone
ney's telephone number 760-1919	Name 224 8th AVENUE, N.W. 760-1919
EN BURNIE, MD. 21061	PATIO ENCLOSURES, INC.
55	purchaser or representative to be contacted.
8th AVENUE, N.W.	Name, address and phone number of legal owner, contract
ture	City/State/Zip Code
TICE /1- AGENT	MT. WASHINGTON, MD. 21209
TIO ENCLOSURES, INC.	2015 JOLLY RD. 484-4454 Address Phone
MANKATAT LOGG	Signature 6 6
State/Zip Code	claim breizers
55	(Type or Print Name)
	ELAINE MEYERS
ture	Signature Theren
or Print Name)	(Type or Bright Name)
	IRWIN MP7/ERS
ract Purchaser:	Legal Owner(s):
	this Petition.
	owner(s) of the property which is the subject o
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning
SE SE

^ctober 9, 1991

matter of this petition be advertised, as required by the Zoning Law of Baltimora County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zonling Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19___, at ____ ofclock,

ZONING COMMISSIONER OF BALTIMURE COUNTY

COPY

887 3353

111 West Chesapeake Avenue

ORDER RECEIVED FOR FILING

<u> Бу</u>

Re: CASE NUMBER: 92-150-A LOCATION: S/S Jolly Road, 631' W of c/l Rockland Hills Drive 2015 Jolly Road

3rd Election District - 2nd Councilmanic

Irwin and Elaine Meyers

MT WASHINGTON MD 21209

2015 Jolly Road

Towson, MD 2120+

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 20, 1991. The closing date is November 4, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public bearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

cc: Patio Enclosures









